

Docket No.: MASIMO.236C1

JUN 16 2006

Page 1 of 2

Please Direct All Correspondence to Customer Number 20995

AMENDMENT / RESPONSE TRANSMITTAL

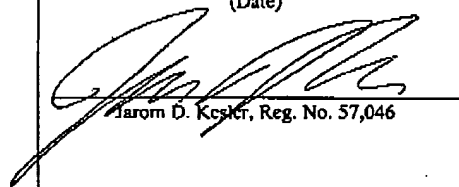
Applicant : Mohamed K. Diab
 App. No : 10/695,405
 Filed : October 28, 2003
 For : OPTICAL SPECTROSCOPY
 PATHLENGTH MEASUREMENT
 SYSTEM
 Examiner : Eric F. Winakur
 Art Unit : 3736

CERTIFICATE OF FAX TRANSMISSION
PTO CENTRALIZED FAX

I hereby certify that this correspondence and all
 marked attachments, are being transmitted via
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 (571) 273-8300 on the date shown below:

June 16, 2006

(Date)



Jarom D. Kocik, Reg. No. 57,046

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Amendment and Response to Office Action Dated March 20, 2006 in 7 pages.
- (X) Terminal Disclaimer Under 37 CFR § 1.321 in 2 pages.

The fee has been calculated as shown below:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Excess Claims	20 - 20 = 0	1202 (\$50)	0 x 50 =	\$0
Excess Independent	4 - 3 = 1	1201 (\$200)	1 x 200 =	\$200
Terminal Disclaimer	1.17(a)(3)	1253 (\$130)		\$130
TOTAL FEE DUE				\$330

- (X) Charge \$330 to Deposit Account No. 11-1410.

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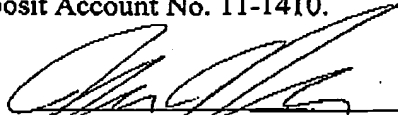
June 16, 2006

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- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Jarom D. Kesler

Registration No. 57,046

Attorney of Record

Customer No. 20,995

(949) 760-0404

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TO: Examiner Eric F. Winakur
USPTO FACSIMILE NO.: 571-273-8300
USPTO REFERENCE: Applicant: Mohamed K. Diab
Serial No.: 10/695,405
Filed: October 28, 2003
Title: OPTICAL SPECTROSCOPY PATHLENGTH
MEASUREMENT SYSTEM
ATTORNEY: Jarom D. Kesler
PHONE NO.: 949-721-2923
ATTORNEY DOCKET NO.: MASIMO.236C1
TOTAL PAGES: 12 (INCLUDING COVER SHEET)
DOCKETING AGENT:
DATE: June 16, 2006

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MESSAGE: *Attached for filing in the above-referenced application are:*

■ TRANSMITTAL: LETTER IN 2 PAGES;

■ AMENDMENT AND RESPONSE TO OFFICE ACTION DATED
MARCH 20, 2006 IN 7 PAGES; AND

■ TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

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